

Message Text

SECRET

PAGE 01 STATE 064279
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY ARA/AND/CH:RSTEVEN:MMS
APPROVED BY ARA:FJMCNEIL
ARA/AND:MRBARNEBEY
JUSTICE:EMPROPPER
S/S-O :TGMARTIN
DESIRED DISTRIBUTION
ARA, D, L ONLY

-----094602 140043Z /65
O 140024Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO IMMEDIATE

S E C R E T STATE 064279

STADIS////////////////////
EXDIS

E.O. 11652: GDS

TAGS: OGEN, CI

SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION:
VISIT OF CHILEAN DELEGATION TO WASHINGTON

REFERENCE: STATE 056636

1. SUMMARY: CHILEAN DELEGATION LED BY MONTERO MET MARCH 9
WITH ARA, L, AND JUSTICE OFFICIALS. MONTERO REAFFIRMED
COMMITMENT TO COOPERATE IN LETELIER INVESTIGATION, AND
PROMISED RAPID ACTION. DELEGATION REVIEWED AT LENGTH
LEGAL STEPS SO FAR TAKEN IN CHILE, AND EXPRESSED OPINION OF
GOC THAT CHILEAN LAW WOULD PROBABLY NOT PERMIT DIRECT
PARTICIPATION IN COURT SESSIONS BY PROPPER. HOWEVER, FINAL
SECRET

SECRET

PAGE 02 STATE 064279

DECISIONS ON USG PARTICIPATION UP TO CHILEAN JUDGE, AND
IN ANY EVENT GOC DISPOSED TO PERMIT UNOFFICIAL ACCESS TO
WITNESSES, ETC. MONTERO AND CAUAS EMPHASIZED GOC CONCERN
OVER SENSATIONAL PUBLICITY AND LEAKS CHARACTERIZING US
REPORTING OF CASE. WE EXPRESSED APPRECIATION FOR VISIT,
FOR ASSURANCES OF COOPERATION, AND REITERATED OUR GRAVE
CONCERN OVER MATTER AND OUR EXPECTATION THAT CHILE WOULD

COOPERATE. APPOINTMENT ARRANGED FOR MARCH 10 WITH DEPUTY SECRETARY. END SUMMARY.

2. CHILEAN DELEGATION OF MONTERO, SCHWEITZER, AND PANTOJA,

ESCORTED BY AMBASSADOR CAUAS, MET AT 11:00 AM MARCH 9 WITH ARA DEPUTIES BUSHNELL AND MCNEIL, ARA/AND DIRECTOR BARNEBEY, CHILE DESK OFFICER STEVEN, L ATTORNEY WILLIS, ASSISTANT US ATTORNEY PROPPER, FBI AGENTS CORNICK AND SCHERRER, AND STATE DEPARTMENT INTERPRETER SEIDENMAN.

3. MONTERO STRESSED GOC COOPERATION, INTENTION TO PROCEED IN SEARCH OF JUSTICE, DESIRE TO PUNISH GUILTY, BUT HOPED THAT MATTER WOULD "NOT GO BEYOND" (APPARENT EXPRESSION OF HOPE THAT INVESTIGATION WILL NOT HAVE POLITICAL OVERTONES). HE REPORTED LATEST STEPS INDICATING GOC INTENTIONS: A) TERMINATION OF STATE OF SIEGE, WHICH "PERMITS WITNESSES TO BE FREE OF ANY RESTRAINTS AND PRESS TO COMMENT FREELY"; B) SENDING OF DELEGATION TO CONSULT ON CASE; C) APPOINTING OF SPECIAL JUDGE ON PASSPORT ASPECT. HE NOTED THAT COURTS NOW PROCEEDING WITH TWO SEPARATE ACTIONS, THE LETTERS ROGATORY AND THE PASSPORT MATTER.

4. AT MONTERO'S REQUEST, SCHWEITZER REVIEWED FULLY AND CAREFULLY ALL OF THE STEPS SO FAR TAKEN IN CHILE, READING SECRET

SECRET

PAGE 03 STATE 064279

TEXTS OF THE OPINION OF ATTORNEY GENERAL TO SUPREME COURT AND COURT'S RESOLUTION OF MARCH 6. (BOTH TEXTS TRANSMITTED TO YOU IN SEPTTEL MARCH 10.) SCHWEITZER ALSO READ FONMIN CARVAJAL'S LETTER TO SUPREME COURT CONVEYING PINOCHET'S REQUEST FOR APPOINTMENT OF SPECIAL JUDGE ON PASSPORT MATTER. HE STRESSED ALMOST UNPRECEDENTED NATURE OF THIS PRESIDENTIAL REQUEST, BUT STATED HE COULD NOT LEAVE COPY OF TEXT WITH US.

5. TEXTS READ BY SCHWEITZER, AND HIS COMMENTS INDICATE THAT NEITHER PROPPER NOR CHILEAN ATTORNEY REPRESENTING USG COULD, IN OPINION OF ATTORNEY GENERAL, PARTICIPATE DIRECTLY IN TAKING OF TESTIMONY AS REQUESTED IN LETTERS ROGATORY. HOWEVER, WHEN PRESSED BY PROPPER FOR CLARIFICATION, SCHWEITZER SUPPORTED BY MONTERO ALLOWED THAT FINAL DECISION WAS UP TO JUDGE IN CASE, WHO MIGHT INTERPRET LAW DIFFERENTLY. IN ANY EVENT, GOC IS PREPARED TO WORK OUT ARRANGEMENT FOR FBI AND PROPPER HIMSELF, IF SO DESIRED, TO INTERVIEW WITNESSES OUTSIDE OF FORMAL COURT PROCEEDINGS. PROPPER MADE CLEAR US INVESTIGATORS HAD TO SEE THE WITNESSES.

6. MONTERO ADDED THAT SPECIAL JUDGE'S INVESTIGATION OF PASSPORT ASPECT OF CASE WOULD ALSO BE CONDUCTED IN SECRET IN PRELIMINARY STAGES. HE REPEATED YET AGAIN GOC GOOD WILL AND DESIRE TO COOPERATE, HOWEVER. HE INSISTED THAT GOC IS INNOCENT OF GUILT IN THIS CASE.

7. SCHWEITZER RESUMED REVIEW OF WHAT HAS TRANSPIRED IN CHILE, NONE OF WHICH WAS NEW TO US. HE CONFIRMED THAT "WILLIAMS" AND "ROMERAL" NAMES NOT FOUND IN CHILEAN ARMED SERVICES, AND THAT FONMIN PASSPORT RECORDS SHOW PASSPORTS IN QUESTION TO HAVE BEEN ISSUED TO OTHER (UNNAMED) PERSONS.

8. MONTERO SUGGESTED THAT COLLABORATION COULD TAKE THE FORM OF A "JOINT INVESTIGATION", PRESUMABLY BY FBI AND SECRET

SECRET

PAGE 04 STATE 064279

CNI, WITHOUT DAMAGE TO LEGAL ASPECTS OF MATTER. HE INVITED PROPPER TO COME TO CHILE TO SEE RESULTS OF SUCH INVESTIGATION, TO SEE SUPREME COURT JUSTICES, ETC. HE DEPLORED PRESS COVERAGE AND OBVIOUS LEAKS OF INFORMATION BOTH IN US AND CHILE, "WHICH SEEM TO BE TRYING TO CREATE IMPRESSION OF GOC GUILT". HE HOPED THAT USG MIGHT TELL PRESS THAT GOC COOPERATING, AND SUGGESTED "JOINT" PRESS STATEMENT ON HIS DELEGATION'S VISIT.

9. PROPPER CARRIED BURDEN OF RESPONSE ON ALL LEGAL QUESTIONS ARISING IN MEETING, PER PRIOR AGREEMENT WITH STATE. HE ASSURED MONTERO THAT JUSTICE AND FBI INVESTIGATIONS ALSO SECRET, AND THAT LEAKS TO PRESS AND INACCURATE STATEMENTS THEREIN EQUALLY DISTASTEFUL TO US. STEPS HAVE BEEN TAKEN TO ESTABLISH EVEN STRICTER CONTROLS IN EFFORT TO PREVENT LEAKS, BUT NOTED WE DO NOT CONTROL AMERICAN PRESS. HE SAID THAT STATE DEPARTMENT'S ROLE IS OVERSIGHT OF FOREIGN POLICY ASPECTS, AND THAT STATE IS NOT INVOLVED DIRECTLY IN THE INVESTIGATION. FBI AGENT SCHERRER WILL BE PRESENT IN SANTIAGO WHENEVER NEEDED, AND HE SHOULD BE GOC'S CONTACT FOR INVESTIGATORY ASPECTS OF CASE. HE TOLD CHILEANS THAT WE WERE IN PROCESS OF RETAINING CHILEAN ATTORNEY. HE STRESSED AGAIN REASONS FOR WANTING TO BE PRESENT WHEN WITNESSES GIVE TESTIMONY, AND TURNED ASIDE THE CHILEAN NOTION OF A JOINT INVESTIGATION BY INDICATING HE AND FBI EXPECTED CHILEANS WOULD GIVE THEM ANYTHING THEY LEARNED.

10. IN RESPONSE TO SEPARATE APPEAL FROM CAUAS FOR CONTROL OVER LEAKS AND SOME PUBLIC STATEMENT BY USG THAT GOC IS COOPERATING, WE NOTED THAT WE HAVE PRIVATELY AND IN PUBLIC GIVEN RECOGNITION OF GOC COOPERATION AT THE SAME TIME WE HAVE STRESSED OUR EXPECTATION OF COOPERATION. SECRET

SECRET

PAGE 05 STATE 064279

BUSHNELL AGREED THAT AFTER MEETING
MARCH 10, WE WOULD BE PREPARED TO ISSUE A
STATEMENT TO PRESS ON VISIT, AND CHILEANS WOULD ISSUE
PARALLEL STATEMENT. STATEMENTS OF EACH PARTY WOULD BE
MADE AVAILABLE TO OTHER BEFORE RELEASE FOR COMMENTS.
(TEXT OF US STATEMENT SENT SEPTTEL MARCH 10.)

11. CHILEANS ASKED IF IT WOULD BE USEFUL FOR THEM TO

SEE AN APPROPRIATE SENIOR OFFICIAL OF JUSTICE DEPARTMENT
TO DISCUSS CASE AND OFFER ASSURANCES. PROPPER NOTED THAT
MOST SENIOR JUSTICE OFFICIALS WERE INVOLVED IN MATTERS
AT CONGRESS AT MOMENT AND NOTED HE WOULD BE GIVING
FULL REPORT OF MEETINGS TO ATTORNEY GENERAL. CHILEANS
DID NOT PRESS.

12. PROPPER AND MONTERO REVIEWED AND CONFIRMED UNDER-
STANDING THAT ARRANGEMENTS MAY BE MADE TO PERMIT US
INVESTIGATORS ACCESS TO WITNESSES IN CHILE, OUTSIDE
FORMAL COURT PROCEDURES.

VANCE

SECRET

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 14 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE064279
Document Source: CORE
Document Unique ID: 00
Drafter: RSTEVEN:MMS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780112-0218
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780370/aaaachol.tel
Line Count: 197
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 601d6ec7-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: SECRET
Original Handling Restrictions: ONLY, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: ONLY, STADIS
Reference: 78 STATE 56636
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3338984
Secure: OPEN
Status: NATIVE
Subject: LETELIER/MOFFITT ASSASSINATION INVESTIGATION: VISIT OF CHILEAN DELEGATION TO WASHINGTON
TAGS: OGEN, CI
To: SANTIAGO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/601d6ec7-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014